

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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|----------------------------|---|--------------------------------|
| SU MIN KIM and JI HUN KIM, | § | |
| <i>Plaintiffs,</i> | § | |
| | § | |
| v. | § | Civil Action No. 4:19-CV-00332 |
| | § | Judge Mazzant |
| AMERICAN HONDA MOTOR CO., | § | |
| INC., | § | |
| <i>Defendant.</i> | § | |

FINAL JUDGMENT

On June 6, 2022, this action came for trial before a jury. Both sides announced ready for trial and, following the presentation of evidence, the jury was instructed to answer certain questions. The jury returned a verdict on June 17, 2022. The jury found that there was a design defect in the 2014 Honda CR-V at the time it left the possession of Defendant American Honda Motor Co., Inc. (“Honda”) that was a producing cause of the injuries in question.

Further, prior to trial, the Court granted Honda’s motion to designate Trae Michael Hubbard as a responsible third party pursuant to Texas Civil Practice and Remedies Code § 33.004. Accordingly, Trae Michael Hubbard’s liability and percentage of fault were submitted to the jury. *See* TEX. PRAC. & REM. CODE § 33.003(a). The jury found that the negligence of Trae Michael Hubbard was a proximate cause of the injuries in question. In apportioning fault between Trae Michael Hubbard and Honda, the jury found Honda twenty-three percent (23%) responsible and Trae Michael Hubbard seventy-seven percent (77%) responsible for the injuries in question.

The jury awarded Plaintiff Su Min Kim a total of \$21,180,808.74 in damages, consisting of the following:

1. \$180,808.74 for reasonable expenses of necessary medical care in the past;

2. \$7,000,000.00 for reasonable expenses of necessary medical care that, in reasonable probability, Plaintiff Su Min Kim will incur in the future;
3. \$1,000,000.00 for loss of earning capacity that, in reasonable probability, Plaintiff Su Min Kim will incur in the future;
4. \$500,000.00 for physical impairment sustained in the past;
5. \$2,000,000.00 for physical impairment that, in reasonable probability, Plaintiff Su Min Kim will sustain in the future;
6. \$4,000,000.00 for physical pain and suffering sustained in the past;
7. \$2,000,000.00 for mental anguish sustained in the past;
8. \$4,000,000.00 for mental anguish that, in reasonable probability, Plaintiff Su Min Kim will sustain in the future; and
9. \$500,000.00 for disfigurement sustained in the past.

The jury awarded Plaintiff Ji Hun Kim \$250,000.00 in damages for bystander mental anguish sustained in the past.

It is therefore **CONSIDERED, ORDERED, AND ADJUDGED** that Plaintiff Su Min Kim recover from Defendant American Honda Motor Co., Inc. as follows:

- (a) Actual damages in the past in the amount of ONE MILLION, SIX HUNDRED FIFTY-ONE THOUSAND, FIVE HUNDRED EIGHTY-SIX DOLLARS AND ONE CENT (\$1,651,586.01);
- (b) Pre-judgment interest on such actual damages in the past at the rate of five percent (5%) per annum accruing on the date suit was filed (May 7, 2019) through the day preceding the date judgment is entered (June 27, 2022), in the amount of TWO HUNDRED

FIFTY-NINE THOUSAND FIVE HUNDRED TWO DOLLARS AND FIVE CENTS
(\$259,502.05);

- (c) Actual damages in the future in the amount of THREE MILLION TWO HUNDRED TWENTY THOUSAND DOLLARS (\$3,220,000.00);
- (d) Post-judgment interest on all sums at the federal rate provided by 28 U.S.C. § 1961(a), beginning on the date judgment is entered; and
- (e) Costs of court spent or incurred in this cause.

It is further **CONSIDERED, ORDERED, AND ADJUDGED** that Plaintiff Ji Hun Kim recover from Defendant American Honda Motor Co., Inc. as follows:

- (a) Actual damages in the past in the amount of FIFTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$57,500.00);
- (b) Pre-judgment interest on such actual damages at the rate of five percent (5%) per annum accruing on the date suit was filed (May 7, 2019) through the day preceding the date judgment is entered (June 27, 2022), in the amount of NINE THOUSAND THIRTY-FOUR DOLLARS AND FIFTY-SEVEN CENTS (\$9,034.57);
- (c) Post-judgment interest on such actual damages at the federal rate provided by 28 U.S.C. § 1961(a), beginning on the date judgment is entered; and
- (d) Costs of court spent or incurred in this cause.

All relief not previously granted is hereby **DENIED**.

IT IS SO ORDERED.

SIGNED this 28th day of June, 2022.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE